

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

- - - - - x  
:  
UNITED STATES OF AMERICA :  
:  
- v. - :  
:  
ALEJANDRO COSTALES CASTILLO, :  
:  
Defendant. :  
:  
- - - - - x

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
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INFORMATION

S1 07 Cr. 444 (LTS)

COUNT ONE

The United States Attorney charges:

1. From in or about late 2006, up to and including in or about May 2007, in the Southern District of New York and elsewhere, ALEJANDRO COSTALES CASTILLO, the defendant, and others known and unknown, unlawfully, intentionally, and knowingly did combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that ALEJANDRO COSTALES CASTILLO, the defendant, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, to wit, one kilogram and more of mixtures and substances containing a detectable amount of heroin, in violation of Title 21, United States Code, Sections 812, 841(a)(1) and 841(b)(1)(A).

3. It was further a part and an object of the conspiracy that ALEJANDRO COSTALES CASTILLO, the defendant, and others known and unknown, would and did distribute and possess

with intent to distribute a controlled substance, to wit, 500 grams and more of mixtures and substances containing a detectable amount of cocaine, in violation of Title 21, United States Code, Sections 812, 841(a)(1) and 841(b)(1)(B).

(Title 21, United States Code, Section 846.)

**FORFEITURE ALLEGATION**

4. As a result of committing the controlled substance offense alleged in Count One of this Information, ALEJANDRO COSTALES CASTILLO, the defendant, shall forfeit to the United States, pursuant to 21 U.S.C. § 853, any and all property constituting and derived from any proceeds that the said defendant obtained directly and indirectly as a result of the said violation and any and all property used and intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Count One of this Information.

**Substitute Asset Provision**

5. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

(1) cannot be located upon the exercise of due diligence;

(2) has been transferred or sold to or deposited with, a third party;

(3) has been placed beyond the jurisdiction of the court;

(4) has been substantially diminished in value; or

(5) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any property of the defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 853, 846 and 963.)

A handwritten signature in black ink, reading "Michael J. Garcia". The signature is written in a cursive style with a horizontal line underneath the name.

MICHAEL J. GARCIA  
United States Attorney